

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

KAREN A. ARNETT, et al.,	:	Case No. C-1-02-87
	:	
Plaintiffs,	:	(Judge S. Arthur Spiegel)
	:	
vs.	:	DEFENDANT'S MOTION TO
	:	VACATE HEARING DATE AND
WILLARD INDUSTRIES, INC.,	:	CONSIDER PLAINTIFF'S
	:	MOTION MOOT
Defendant.	:	

Defendant Willard Industries, Inc. ("Willard") moves this Court to vacate the hearing on Plaintiff's Motion To Enforce Consent Decree (Docket #54) scheduled for July 11, 2007 at 9:30 a.m., and to enter an order determining that this Motion is moot. As set forth in the Affidavit of Paul L. Thompson, President of Willard, which is attached as **Exhibit A**, the company is permanently shutting down its business operations and terminating its employees, and will not continue its business operations in the future. Under these circumstances, Willard's foundry no longer has any emissions, so compliance with the Consent Decree is no longer necessary.

For these reasons, Willard requests that the scheduled hearing date be vacated, and that the Court enter an order determining that Plaintiff's Motion To Enforce Consent Decree is moot.

Respectfully submitted,

/s/Charles M. Meyer
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Defendant's Motion To Vacate Hearing Date and Consider Plaintiff's Motion Moot was served by electronic mail by the Court and by ordinary U.S. mail by the undersigned this 28th day of June, 2007 upon the following:

D. David Altman, Esq.
D. David Altman Co., L.P.A.
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/s/Charles M. Meyer

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